

PROPOSED AMENDMENT

SENATE AMENDMENTS TO S.B. 1080

(Reference to printed bill)

1 Page 3, between lines 34 and 35, insert:

2 "Sec. 5. Title 5, chapter 3, article 10, Arizona Revised Statutes, is
3 amended by adding section 5-394, to read:

4 5-394. Definitions

5 IN THIS ARTICLE, UNLESS THE CONTEXT OTHERWISE REQUIRES:

6 1. "MOTORIZED WATERCRAFT" MEANS ANY WATERCRAFT THAT CAN ATTAIN A SPEED
7 OF AT LEAST TEN MILES PER HOUR AND THAT IS PROPELLED BY MACHINERY WHETHER OR
8 NOT THE MACHINERY IS THE PRINCIPAL SOURCE OF PROPULSION.

9 2. "UNDERWAY" MEANS THAT A WATERCRAFT ON PUBLIC WATERS IS BEING
10 PROPELLED BY MACHINERY AND IS RECKLESSLY ENDANGERING ANOTHER PERSON WITH A
11 SUBSTANTIAL RISK OF IMMINENT DEATH OR PHYSICAL INJURY."

12 Renumber to conform

13 Page 7, line 4, strike "any"

14 Strike line 5

15 Line 6, strike "CONSECUTIVE HOURS OF THE SENTENCE" insert "any imposed sentence
16 for a first violation of section 5-395"

17 Line 30, strike "order the person to"

18 Page 11, line 7, after "section" insert period strike remainder of line

19 Strike line 8 through 22

20 Reletter to conform

21 Page 12, line 10, after "5-395" insert "IF THE PERSON RECKLESSLY ENDANGERS THE
22 PERSON WHO IS UNDER FIFTEEN YEARS OF AGE WITH A SUBSTANTIAL RISK OF IMMINENT
23 DEATH OR PHYSICAL INJURY"

24 Page 13, line 23, after the comma strike remainder of line

25 Strike lines 24 through 28

26 Line 29, strike "ESTABLISHED BY SECTION 28-1304" insert "THE ASSESSED MONIES
27 SHALL BE RETAINED BY AND INURE TO THE BENEFIT OF THE COUNTY IN WHICH THE
28 SUPERIOR COURT OR JUSTICE COURT IS LOCATED. IF THE CONVICTION OCCURRED IN A
29 MUNICIPAL COURT, THE ASSESSED MONIES SHALL BE RETAINED BY AND INURE TO THE

1 BENEFIT OF THE CITY OR TOWN IN WHICH THE MUNICIPAL COURT IS LOCATED. THE
2 MONIES SHALL BE USED BY THE COUNTY, CITY OR TOWN FOR ENFORCEMENT PURPOSES,
3 PROSECUTORIAL AND JUDICIAL ACTIVITIES AND ALCOHOL ABUSE TREATMENT SERVICES
4 RELATED TO PREVENTING AND ABATING OPERATING UNDER THE INFLUENCE OCCURRENCES
5 IN A MOTORIZED WATERCRAFT.”

6 Page 14, line 45, strike “COURT SHALL TRANSMIT THE ASSESSED MONIES TO THE COUNTY
7 TREASURER” insert “ASSESSED MONIES SHALL BE RETAINED BY AND INURE TO THE
8 BENEFIT OF THE COUNTY IN WHICH THE SUPERIOR COURT OR JUSTICE COURT IS
9 LOCATED”

10 Page 15, line 1, strike “THE COURT SHALL TRANSMIT THE”

11 Strike lines 2 through 5, insert “THE ASSESSED MONIES SHALL BE RETAINED BY AND
12 INURE TO THE BENEFIT OF THE CITY OR TOWN IN WHICH THE MUNICIPAL COURT IS
13 LOCATED. THE MONIES SHALL BE USED BY THE COUNTY, CITY OR TOWN FOR
14 ENFORCEMENT PURPOSES, PROSECUTORIAL AND JUDICIAL ACTIVITIES AND ALCOHOL ABUSE
15 TREATMENT SERVICES RELATED TO PREVENTING AND ABATING OPERATING UNDER THE
16 INFLUENCE OCCURRENCES IN A MOTORIZED WATERCRAFT.”

17 Amend title to conform

RON GOULD

2/25/08
4:53 PM
S: A0/jas